

In the Claims:

Please substitute the current listing of claims, as provided below, for the current listing:

Claims 1-58 (Cancelled)

59. (Currently amended) An elongated bone implant for use in lumbar spinal fusions, said elongated bone implant having a length of 20 mm to 26 mm, an overall width of approximately 7 mm to 12 mm and a height of between about 7.5 mm and 14.5 mm, said elongated bone implant comprising a section of bone that comprises a substantially planar upper surface and a substantially planar lower surface that is opposite said substantially planar upper surface, an anterior end and a posterior end opposite said anterior end, a first outer side wall extending the length of said implant and a second outer side wall opposite said first outer side wall, wherein said first outer side wall and said second outer side wall extend between said substantially planar upper surface and said substantially planar lower surface, and wherein said second outer side wall comprises either a concave surface or both linear and concave surfaces, said first outer side wall and said second outer side wall being elongated relative to said anterior end and said posterior end, said elongated implant being free of an intermedullary canal as a transverse cavity through the body of said elongated implant.

60. (Currently amended) The elongated bone implant of claim 59, wherein said first outer side wall comprises a convex surface.

61. (Previously presented) The elongated bone implant of claim 59, wherein said elongated bone implant comprises autograft or allograft cortical or cancellous bone.

62-64 (Cancelled)

65. (Previously presented) The elongated bone implant of claim 59, wherein said substantially planar upper surface, said substantially planar lower surface, or both are

machined to display a rough, ridged or grooved surface to aid in preventing said bone implant from moving out of place.

66. (Previously presented) The elongated bone implant of claim 59, wherein said substantially planar upper surface and said substantially planar lower surface are machined to display ridges that are configured to prevent said bone implant from sliding back toward the direction from which said bone implant is inserted.

67-68. (Cancelled)

69. (Currently Amended) A method of fusing a first lumbar vertebra to a second lumbar vertebra comprising distracting said first and second lumbar vertebrae; removing a portion of an intervertebral disc positioned between said first and second lumbar vertebrae thereby creating a space, and implanting an elongated bone implant according to claim 1 + 59 into said space, wherein said elongated bone implant is positioned such that said second outer side wall having said concave surface faces inwardly.

70. (Currently Amended) A method of fusing a first lumbar vertebra to a second lumbar vertebra in a patient comprising:

distracting said first and second lumbar vertebrae;

removing a portion of an intervertebral disc positioned between said first and second lumbar vertebrae thereby creating a space; and

implanting an elongated bone implant into said space, said elongated bone implant comprising a section of bone that comprises a substantially planar upper surface and a substantially planar lower surface that is opposite said substantially planar upper surface, an anterior end and a posterior end opposite said anterior end, a first outer side wall and a second outer side wall opposite said first outer side wall, wherein said first outer side wall and said second outer side wall extend between said substantially planar upper surface and said substantially planar lower surface, and wherein said second outer side wall comprises either a concave surface or both linear and concave surfaces, said first outer side

wall and said second outer side wall being elongated relative to said anterior end and said posterior end;

wherein said elongated bone implant is positioned in said space such that said second outer side wall faces inwardly.

71. (Original) The method of claim 70, wherein said elongated bone implant is positioned such that said anterior end is directed toward the anterior side of said patient and said posterior end is directed toward the posterior side of said patient.

72-80. (Cancelled)

81. (New) The elongated implant of claim 59, wherein the overall width is from about 9.4 mm to about 10 mm.

82. (New) An elongated bone implant for use in lumbar spinal fusions, said elongated bone implant having a length of 20 mm to 26 mm, an overall width of approximately 7 mm to 12 mm and a height of between about 7.5 mm and 14.5 mm, said elongated bone implant comprising a section of bone that comprises a substantially planar upper surface and a substantially planar lower surface that is opposite said substantially planar upper surface, an anterior face and a posterior face opposite said anterior face, a first outer side wall extending the length of said implant and a second outer side wall opposite said first outer side wall, wherein said first outer side wall and said second outer side wall extend between said substantially planar upper surface and said substantially planar lower surface, and wherein said second outer side wall comprises a concave surface.

83. (New) The elongated implant of claim 82, wherein the overall width is from about 9.4 mm to about 10 mm.

84. (New) The elongated implant of claim 82, wherein the height of said elongated implant is about 8 mm.

85. (New) The elongated implant of claim 82, wherein the height of said elongated implant is about 10 mm.

86. (New) The elongated implant of claim 82, wherein the height of said elongated implant is about 12 mm.

87. (New) The elongated implant of claim 82, wherein the height of said elongated implant is about 14 mm.

88. (New) The elongated implant of claim 82, wherein the substantially planar upper surface or substantially planar lower surface is machined so that it has ridges directed to the posterior end of the implant.

89. (New) The elongated implant of claim 88 wherein the distances between tooth crests in said ridges is about 1 to 2 mm.

90. (New) The elongated implant of claim 82 wherein said posterior face is machined for instrument attachment.

91. (New) The elongated implant of claim 90 wherein said posterior face has an instrument attachment hole.

92. (New) The elongated implant of claim 91 wherein said instrument attachment hole is a tapped instrument attachment hole.

93. (New) An elongated bone implant for use in lumbar spinal fusions, said elongated bone implant having a length of 20 mm to 26 mm, an overall width of approximately 7 mm to 12 mm, a height of between about 7.5 mm and 14.5 mm, said elongated bone implant comprising a section of bone that comprises a substantially planar upper surface and a substantially planar lower surface that is opposite said substantially planar upper surface, an anterior end and a posterior end opposite said anterior end, a first outer side wall

extending the length of said implant and a second outer side wall opposite said first outer side wall, wherein said first outer side wall and said second outer side wall extend between said substantially planar upper surface and said substantially planar lower surface, and wherein said first outer side wall comprises a convex surface and defines an outside angle of between about 60° and 75° with said posterior end, said second outer side wall comprises a concave surface.

94. (New) The elongated implant of claim 93, wherein the overall width is from about 9.4 mm to about 10 mm.

95. (New) The elongated implant of claim 93, wherein the height of said elongated implant is about 8 mm.

96. (New) The elongated implant of claim 93, wherein the height of said elongated implant is about 10 mm.

97. (New) The elongated implant of claim 93, wherein the height of said elongated implant is about 12 mm.

98. (New) The elongated implant of claim 93, wherein the height of said elongated implant is about 14 mm.

99. (New) The elongated implant of claim 93, wherein said outside angle is about 67°.

100. (New) The elongated implant of claim 93, wherein the substantially planar upper surface or substantially planar lower surface is machined so that it has ridges directed to the posterior end of the implant.

101. (New) The elongated implant of claim 100 wherein the distances between tooth crests in said ridges is about 1 to 2 mm.

102. (New) The elongated implant of claim 93 wherein said posterior face is machined for instrument attachment.

103. (New) The elongated implant of claim 102 wherein said posterior face has an instrument attachment hole.

104. (New) The elongated implant of claim 103 wherein said instrument attachment hole is a tapped instrument attachment hole.

105. (New) An elongated bone implant for use in lumbar spinal fusions, said elongated bone implant being crescent shaped and having a length of 20 mm to 26 mm, an overall width of approximately 7 mm to 12 mm, a height of between about 7.5 mm and 14.5 mm, said elongated bone implant comprising a section of bone that comprises a substantially planar upper surface and a substantially planar lower surface that is opposite said substantially planar upper surface, an anterior end and a posterior end opposite said anterior end, a first outer side wall extending the length of said implant and a second outer side wall opposite said first outer side wall, wherein said first outer side wall and said second outer side wall extend between said substantially planar upper surface and said substantially planar lower surface, and wherein said first outer side wall comprises a convex surface and defines an outside angle of between about 60° and 75° with said posterior end, said second outer side wall comprises a concave surface.